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Attorney for the plaintiff United States of America

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, ) 2:17-mj-00683-CWH  
                               )  
Plaintiff,                 )  
                               )  
vs.                         )  
                               )  
SEHDEV et al,             )  
                               )  
Defendant.                 )  
                               )  
\_\_\_\_\_  
                               )

## **STIPULATION TO CONTINUE PRELIMINARY HEARING**

IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE, Acting United States Attorney, and Alexandra Michael., Assistant United States Attorney, counsel for the United States of America, Thomas Boley, Esq., counsel for Defendant JOSE LUIS MONTOYA and Brian Smith, Esq., counsel for Defendant ASHOK KUMAR SEHDEV, that the preliminary hearing for the above-captioned matter, currently scheduled for December 4, 2017, at the hour of 4:00 p.m., be vacated and continued to a date and time convenient for this Court, but in no event earlier than sixty (60) days.

This stipulation is entered for the following reasons:

1. The government needs additional time to prepare for the preliminary hearing and/or present indictments against the Defendants.

1       2. Both Defendants are in custody and they do not object to the continuance.

2       3. The parties all agree to the continuance.

3       4. Denial of this request for continuance of the preliminary hearing would  
4 potentially prejudice both the Defendants and the Government and unnecessarily consume this  
5 Court's valuable resources, taking into account the exercise of due diligence.

6       5. Additionally, denial of this request for continuance could result in a miscarriage  
7 of justice.

8       6. The additional time requested by this stipulation is excludable in computing the  
9 time within which the defendant must be indicted and the trial herein must commence pursuant  
10 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under  
11 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

12       7. This is the fourth request for a continuance of the preliminary hearing herein.

13 DATED: December 4, 2017.

14  
15       \_\_\_\_\_  
16 /s/  
17 ALEXANDRA MICHAEL  
18 Assistant United States Attorney  
19 Counsel for the United States

14  
15       \_\_\_\_\_  
16 /s/  
17 THOMAS BOLEY  
18 Counsel for Defendant JOSE LUIS MONTOYA

20       \_\_\_\_\_  
21 /s/  
22 BRIAN SMITH  
23 Counsel for Defendant ASHOK KUMAR SEHDEV

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, ) 2:17-mj-00683-CWH  
Plaintiff, )  
vs. ) **ORDER CONTINUING  
PRELIMINARY HEARING**  
SEHDEV et al, )  
Defendant. )

## **ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS HEREBY ORDERED**, that the preliminary hearing in the above-captioned matter, currently scheduled for December 4, 2017, at the hour of 4:00 p.m., be vacated and continued to Monday, February 12, 2018, at the hour of 4:00 p.m.

DATED: December 4, 2017

UNITED STATES MAGISTRATE JUDGE